

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:	)	
	)	
Zen-ichi Terashita et al.	)	Group Art Unit: 1626
	)	
Application No.: 10/540,369	)	Examiner: Laura Lynne Stockton
	)	
Filed: June 23, 2005	)	
	)	Confirmation No.: 2737
For: BODY WEIGHT GAIN INHIBITOR	)	

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**RESPONSE TO RESTRICTION REQUIREMENT**

In a restriction requirement dated March 5, 2008, the Examiner required  
restriction under 35 U.S.C. § 121 between

- Group I - Claims 1-13, drawn to products of formula (I).
- Group II - Claims 1-10 and 13, drawn to products that are not embraced by the products of formula (I) in Group I.
- Group III - Claims 14 and 15, drawn to method of using products of formula (I).
- Group IV - Claims 14 and 15, drawn to method of use not using the products of formula (I).

Applicants provisionally elect, without traverse, to prosecute the subject matter of  
Group III, Claims 14 and 15, drawn to method of using products of formula (I).

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: March 20, 2008

By: Charles E. Van Horn  
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